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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,842	06/23/2003	Byong Mok Oh	2894/107	9542
2101 7590 04/24/2007 BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618			EXAMINER CUNNINGHAM, GREGORY F	
			ART UNIT	PAPER NUMBER
			2624	
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			04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/601,842

Applicant(s)

OH ET AL.

Examiner

Greg F. Cunningham

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 February 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____


**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**

Continuation of 11. does NOT place the application in condition for allowance because:

Applicants' remarks with respect to claims 1 and 18:

Applicants allege that there is no motivation to combine Gawronski's method for creating a physical part with Anandan's 3-D to 2-D projective transformations because Gawronski's method would then be unable to create a 3-D physical part. However, Gawronski claims

1. A method for building a data model of a physical part in a data format useful for reproduction of the part, the method comprising the steps of:

scanning a first surface of the physical part with a light measuring device at a first position and orientation of the device relative to the physical part to obtain a first set of 3-D point data which represents geometry of the first surface in a first local coordinate system;

measuring the first position and orientation of the device relative to the physical part to obtain a first set of position data;

generating a first transform based on the first set of position data;

mapping the first set of 3-D point data in a global coordinate system based on the first transform;

scanning a second surface of the physical part with the light measuring device at a second position and orientation different from the first position and orientation of the device relative to the physical part to obtain a second set of 3-D point data which represents geometry of the second surface in a second local coordinate system;

measuring the second position and orientation of the device relative to the physical part to obtain a second set of position data;

generating a second transform based on the second set of position data;

mapping the second set of 3-D point data in the global coordinate system based on the second transform; and

integrating the first and second sets of 3-D point data in the global coordinate system to obtain the data model of the physical part in the data format.

14. The method of claim 1 further comprising the step of processing the data model to generate a tangible reproduction of the physical part in two or more dimensions.

15. The method of claim 14 wherein the processing step includes the step of generating a two-dimensional graphic reproduction of the physical part.

Also claimed:

20. A system for building a data model of a physical part in a data format useful for reproduction of the part, the system comprising:

a light measuring device for scanning first and second surfaces of a physical part at first and second positions and orientations of the light measuring device relative to the physical part, respectively; to obtain first and second sets of 3-D point data which represent geometry of the first and second surfaces in first and second local coordinate systems, respectively;

a measuring apparatus for measuring the first and second positions and orientations of the light measuring device relative to the physical part to obtain first and second sets of position data, respectively; and a computer programmed to:

generate first and second transforms based on the first and second sets of position data, respectively;

map the first and second sets of 3-D point data in a global coordinate system based on the first and second transforms, respectively; and

integrate the first and second sets of 3-D point data in the global coordinate system to obtain the data model of the physical part in the data format.

33. The system of claim 20 further comprising means for processing the data model to generate a tangible reproduction of the physical part in two or more dimensions.

34. The system of claim 33 wherein the means for processing includes means for generating a two-dimensional graphic reproduction of the article.

Therefore Gawronski method and system work on two-dimensional graphics and generate a tangible reproduction of the physical part in two or more dimensions.

With regard to including step "f" of claims 1 and 18: whether or not an alleged requirement exist for one portion of the part to overwrite another portion of the part, it appears inconsequential since Gawronski does generate a tangible reproduction of the physical part in two or more dimensions and generating a two-dimensional graphic reproduction of the article.

G. F. Cunningham 4/17/07

Gregory F. Cunningham, Examiner
A.U. 2624